

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEANNE ZALOGA,	:	Civil Action No. 3:10-CV-2604
EDWARD ZALOGA, D.O., C.P.A.,	:	
CORRECTIONAL CARE, INC.,	:	
	:	
Plaintiffs,	:	(Judge Brann)
	:	
v.	:	
	:	
BOROUGH OF MOOSIC,	:	
MOOSIC BOROUGH COUNCIL,	:	
MOOSIC BOROUGH PLANNING	:	
COMMISSION,	:	
MOOSIC BOROUGH ZONING	:	
BOARD OF ADJUSTMENTS,	:	
JOSEPH MERCATILI,	:	
JOSEPH DENTE,	:	
THOMAS HARRISON,	:	
BRYAN FAUVER,	:	
JAMES DURKIN,	:	
WILLARD HUGHES,	:	
	:	
Defendants.	:	

ORDER

And Now, this 16th day of June, 2015, IT IS HEREBY ORDERED THAT:

1. Defendants' Motion for Summary Judgment is GRANTED IN PART and DENIED IN PART. July 28, 2014, ECF No. 138.
2. Final Judgment will be deferred until after disposition of the remaining claims.
3. The only claims and parties that survive the motion for summary judgment are Edward Zaloga and Correctional Care Inc, Plaintiffs, versus Joseph Mercatili, Defendant, for three claims – retaliation in

violation of the First Amendment pursuant to 42 U.S. C. §1983; conspiracy under 42 U.S.C. § 1983; and civil conspiracy pursuant to state common law. The docket caption will be amended accordingly.

4. A telephone conference call will be scheduled with counsel in the near future to discuss the parties' desire to participate in mediation or a settlement conference or to fix this matter for trial.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge